

M E M O R A N D U M

helping him with his efforts to overturn that conviction.

A prisoner has a First Amendment right of access to the courts. Bounds v. Smith, 430 U.S. 817, 821-823 (1977). To demonstrate a violation of that right, the plaintiff must show that the defendants' conduct in some way prejudiced the filing or prosecution of a legal matter. Kensu v. Haigh, 87 F.3d 172, 175 (6th Cir.1996).

In this regard, the plaintiff acknowledges that he has filed post-conviction and habeas corpus petitions in the state courts in an attempt to overturn the conviction. There has been no showing that the defendants did anything to impede the plaintiff's ability to pursue his legal options in this matter. Consequently, the plaintiff has failed to state a claim upon which relief can be granted.

Having failed to state a claim upon which relief can be granted, the Court is obliged to dismiss the complaint *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.


Todd Campbell
United States District Judge